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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/698,165

10/31/2003

Manuel A. Soto

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03/28/2005

IP LEGAL DEPARTMENT
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EXAMINER

HUANG, SIHONG

ART UNIT

PAPER NUMBER

2632

DATE MAILED: 03/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/698,165

Applicant(s)

SOTO ET AL

Examiner

Sihong Huang

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 October 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

1. Claim 9 is objected to because of the following informalities: in line 2, after “generate”, “and” should read -- an --. Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 6 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 6, line 3, “said alarm unit” lacks antecedent basis.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-5 and 7-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Stelter (US Pat. No. 2,643,372).

Regarding claims 1, 4 and 5, Stelter discloses a method comprising: creating a connection (at 82 and 83; or at relay 25A) between a pedestal (safe 10; or drawer 15) and a base (wall 13 and floor 12; or safe 10); monitoring said connection (by the circuit shown in Fig. 1); and generating an alarm signal (through switch 36) if said connection is broken (e.g., when the safe 10 is moved/removed, connection at 82 and 83 are broken, leads 29 and 30 are open, relay 32 is de-energized, alarm switch 36 is closed and alarm is sounded; or when drawer 15 is moved/removed, connection/relay 25A is open, relay 32 is de-energized, alarm switch 36 is closed and alarm is sounded). See col. 3, lines 10-37.

Regarding claim 2, Stelter discloses sending said alarm signal (through relay 32) to an alarm system (alarm circuitry containing switch 36, battery 42 and sound generator 40); receiving said alarm signal at said alarm system (i.e., when switch 36 is closed due to de-energized relay 32); and generating an alarm (through 40) in response to said alarm signal.

Regarding claim 3, the connection at 82 and 83 can be considered as ground connection. See Fig. 1.

Regarding claim 7, as addressed above to claim 1, Stelter discloses an apparatus (Fig. 1) comprising: a pedestal (safe 10; or drawer 15); a base (wall 13 and floor 12; or safe 10); and an alarm subsystem (the circuitry contains relay 25A, connections 88, 82, 83, 29, 30, 33 and 32).

Regarding claim 8, Stelter discloses that the alarm subsystem comprises: a circuit to create a connection between said pedestal and said base (connection points 82 and 83); and a monitor (the circuit itself is a monitor).

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Regarding claim 9, Stelter discloses an alarm system (the lower circuit in Fig. 1 which includes 36, 42 and 40) to communicate with the alarm subsystem (upper circuit in Fig. 1).

6. Claims 7-9 and 12-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Busch et al. (US Pat. No. 6,686,841 B1).

Regarding claims 13-15, Busch et al. disclose an article (Fig. 19) comprising: a storage medium (memory of computer 1220) including stored instructions (e.g., stored predetermined sensing values or each ID codes for each monitored article and detecting by comparing any fluctuation from the predetermined values, see col. 11, line 7 to col. 12, line 4) that, when executed by a processor (processor of computer 1220), result in creating a connection (cables 12 and sensors R, 150, 250 in Figs. 1-4; cables 1114, 1116 and sensors 1120 and 1012 in Figs. 18 and 17) between a pedestal (picture frame for picture 10A or 10B) and a base (the wall where the picture and its picture is hung), monitoring said connection, and generating an alarm signal to an alarm generator (1222 in Fig. 19) if said connection is broken (col. 12, lines 51-67).

Regarding claims 7-9, Busch et al. disclose an apparatus (see Fig. 19) comprising: a pedestal (picture frame for picture 10A or 10B); a base (the wall where picture is hung); an alarm subsystem (e.g., electronic monitoring unit 1112 in Fig. 18); an alarm system (computer 1220) and alarm generator (1222).

Regarding claim 12, Busch et al. further disclose a security tag to communicate with a RF reader system (col. 13, lines 10-14).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stelter (US Pat. No. 2,643,372).

Regarding claim 6, although Stelter does not disclose detecting re-connection and ceasing the alarm signal, the electrical circuit shown in the figures of Stelter appears to have the claimed function. If not, it would have been obvious to a person having ordinary skill in the art at the time of the invention to modify the system of Stelter to cease the alarm signal upon detection of reconnection for such modification is merely a matter of engineering design choice.

9. Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Busch et al. (US Pat. No. 6,686,841 B1).

Regarding claim 10, although Busch et al do not disclose an antenna in the pedestal to communicate RF signals to create an interrogation zone, Busch et al. in col. 11, lines 47-48 and col. 12, lines 5 and 28 disclose surveillance monitors (such as motion sensor, surveillance camera, acoustic sensor) can be incorporated (by mounted near or attached to the picture frame) to monitor activities around the pedestal (picture frame). Thus, it would have been obvious to a person having ordinary skill in the art at the time of the invention to incorporate antenna to the pedestal (picture frame) to communicate RF

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signals to create an interrogation zone so that other surrounding conditions can also be monitored by the system of Busch et al. for an enhance monitoring system.

Regarding claim 11, although Busch et al do not disclose that the base (the wall) comprises a reader system to communicate interrogation signals to an antenna, Busch et al. in col. 13, lines 4-5 disclose that the monitoring system can be done wirelessly. Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention that the wire through the wall for signal transmission can be replaced with wireless units, in this situation, the base (the wall) could include a reader system to communicate interrogation signals to an antenna if provided.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Krueger (US Pat. No. 6,177,876 B1), Curtis (US Pat. No. 4,994,793) and Taylor (US Pat. No. 4,418,336) are cited to show object removal detection systems.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sihong Huang whose telephone number is 571-272-2958. The examiner can normally be reached on Mon, Thu & Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu can be reached on 571-272-2964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sihong Huang
March 19, 2005

A handwritten signature in black ink, appearing to be 'Sihong Huang', with a long horizontal line extending to the right.